

CENTRAL FAX CENTER

OCT 11 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: ) Before the Examiner  
 ) P. Philogene  
 Stewart Young )  
 ) Group Art Unit  
 Serial No.: 10/674,058 ) 3733  
 )  
 Filed: September 29, 2003 ) Atty. Ref.:  
 ) 4002-3427/PC463.05  
 MULTI-PLANAR ADJUSTABLE )  
 CONNECTOR ) October 11, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on

11 October 2006

Date of Deposit or Transmission

Christopher A. Brown

Name of Registered Representative

Signature

**TERMINAL DISCLAIMER**

Commissioner of Patents and Trademarks  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

The undersigned attorney of record hereby represents that the owner, Warsaw Orthopedic, Inc., has a 100% ownership interest in the above-captioned application and U.S. Patent No. 6,626,906, as indicated by the assignment of the present application from the inventor to SDGI Holdings, Inc. (recorded in the U.S. Patent and Trademark Office on May 10, 2004 at Reel 015308, Frame 0795) and by the assignment of the application that issued as U.S. Patent No. 6,626,906 from the inventor to SDGI Holdings, Inc. (recorded in the U.S. Patent and Trademark Office on February 15, 2001, at Reel 011535, Frame 0283, and on January 18, 2002 at Reel 012523, Frame 0119), and by the certificate of merger of SDGI Holdings, Inc. into Warsaw Orthopedic, Inc. (recorded in the U.S. Patent and Trademark Office on October 10, 2006 at Reel 018370, Frame 0399). The undersigned attorney of record, on behalf of Warsaw Orthopedic, Inc., hereby disclaims the terminal part of any patent granted on the above-captioned application that would extend beyond the expiration date of U.S. Patent No. 6,626,906, and

**TERMINAL DISCLAIMER**

Serial No. 10/674,058  
 Attorney Docket: 4002-3427  
 Page 1 of 2  
 #424447

10/12/2006 TL0111 00000035 233030 10674058

01 FC:1814 130.00 DA

RECEIVED P. 011/011  
CENTRAL FAX CENTER  
OCT 11 2006

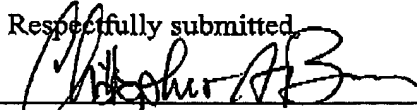
hereby agrees that any patent granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,626,906. This disclaimer shall run with any patent granted on the above-captioned application and to be binding upon the grantees, their successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the above-identified patent, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that the granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Applicants enclose the statutory fee pursuant to 37 C.F.R. § 1.20(d) of \$130.00. In addition, please provide any extensions of time that may be necessary and charge any fees that may be due to Deposit Account No. 23-3030, but do not include any payment of issue fees.

Respectfully submitted

By

  
Christopher A. Brown, Reg. No. 41,642  
Woodard, Emhardt, Moriarty,  
McNett & Henry LLP  
Chase Tower, Suite 3700  
111 Monument Circle  
Indianapolis, Indiana 46204-5137  
(317) 634-3456 telephone  
(317) 637-7561 facsimile

TERMINAL DISCLAIMER  
Serial No. 10/674,058  
Attorney Docket: 4002-3427  
Page 2 of 2  
#424447